



Order Filed on January 19, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2C

Rob Saltzman, Esquire  
Pluese, Becker & Saltzman, LLC  
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20000 Horizon Way, Suite 900  
Mount Laurel, NJ 08054-4318  
(856) 813-1700  
Attorneys' for the Mortgagee  
File No. 086061B

In Re:

Kenneth G McNeil

Case No.: 15-14218-MBK

Hearing Date: January 19, 2017

Judge: Michael B. Kaplan

**CONSENT ORDER  
RESOLVING OBJECTION TO CONFIRMATION**

The relief set forth on the following pages, numbered two (2) through (3) is hereby **ORDERED**.

**DATED: January 19, 2017**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

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Debtor: Kenneth G McNeil

Case No: 15-14218-MBK

Caption of Order: Consent Order Resolving Objection to Confirmation

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This matter having come before the Court on the Objection of Rushmore Loan Management Services, servicer for Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Carlsbad Funding Mortgage Trust, (“Rushmore” or the “Mortgagee”), by and through counsel, Pluese, Becker & Saltzman, LLC, Rob Saltzman, Esquire, appearing and the Debtor, by and through counsel, Scott E. Kaplan, LLC, Scott E. Kaplan, Esquire, having consented hereto and good cause having been shown;

IT IS HEREBY UNDERSTOOD, AGREED, STIPULATED AND ORDERED AS FOLLOWS:

1. The Parties agree that the Debtor's property located at 1420 Genesee Street, Hamilton Township, NJ 08610 (the “Subject Property”) shall be valued at \$50,000 for purposes of the within Chapter 11 Plan of reorganization.
2. The Mortgagee’s claim, including the post-Petition escrow, shall be paid in the sum of \$50,000 plus interest at 5.25% projected over a ten year period (120 months) for a total payoff amount of \$64,375 with monthly payments of \$536. The Debtor shall commence payments in February 1, 2017. Once all of the required payments have been tendered, the loan should be paid in full in February 2027. All amounts still outstanding upon the maturity date under this agreement will be due and owing in full on the maturity date.

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Debtor: Kenneth G McNeil

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3. The Debtor shall be responsible for paying the post-Petition escrow advances in the amount of \$7,667.15 to the Mortgagee immediately upon the effective date of the Chapter 11 Plan.

4. The loan will no longer be an escrowed loan and the Debtor shall be responsible for maintaining all property taxes and hazard insurance premium payments and shall provide contemporaneous proof of such payments.

5. The Debtor shall tender payments directly to the Mortgagee at the following address: Rushmore Loan Management Services, PO Box 52708, Irvine, CA 92619-2708.

6. The Mortgagee has relief from the automatic stay as to the Subject Property upon the effective date of confirmation of Debtor's Chapter 11 Plan.

7. The Mortgagee agrees to vote for Debtor's Chapter 11 Plan provided the Debtor has complied with all provisions of this agreement.

8. In the event this reorganization is successfully completed, and upon the conclusion of this Chapter 11 reorganization, satisfaction of the Allowed Secured "crammed down" Claim, and contingent upon compliance with all terms and conditions hereof, subsequent Orders of the Court, and applicable law, then the Mortgagee shall discharge of record their Mortgage.

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9. Events of default hereunder, entitling the Mortgagee to all available remedies, shall be deemed to include, without limitation, the following:

- a. Dismissal of this Chapter 11 case for any reason, or failure to otherwise or comply with the terms of the confirmed Chapter 11 Plan.
- b. Entry of an Order for Relief from the Automatic Stay in favor of the Mortgagee or the holder of any interest superior to that of the Mortgagee.
- c. Conversion of this case to one under Chapter 7 of the U.S. Bankruptcy Code;
- d. Failure of Debtor to remedy any default hereunder after 15 days written notice to Debtor and Debtor's counsel of same and opportunity to cure have expired.

10. It is expressly understood, agreed, stipulated, and Ordered that this Settlement shall be and the same hereby is binding in the Debtor's pending reorganization only and, in the event of an uncured delinquency or default, the Settlement is voidable at the Mortgagee's option in the Mortgagee's exclusive and unrestricted discretion. It is further expressly understood, agreed, stipulated and Ordered that no Judicial determination(s) or finding(s) on the merits of the allegations contained in the Settlement, have been made, and the circumstance that the Mortgagee has consented to their defaulting Borrower only, shall not operate to limit, prejudice, preclude, estop, or otherwise restrict the Mortgagee's rights to enforce the Mortgage in any other proceedings.

11. Failure of the Debtor to satisfy any of the aforesaid conditions, jointly, severally and/or in the alternative, renders this Stipulation null and void and returns Beneficial to its pre-Petition status as

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Debtor: Kenneth G McNeil

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a Secured Creditor holding a First Mortgage lien encumbering the Debtor's Subject Property with  
all rights afforded it under applicable law.

PLUESE, BECKER & SALTZMAN, LLC

SCOTT E. KAPLAN, LLC

By: /s/ Rob Saltzman  
Rob Saltzman, Esquire  
Attorneys for the Mortgagee

By: /s/ Scott Eric Kaplan.  
Scott Eric Kaplan, Esquire  
Attorney for the Debtor

In re:  
Kenneth G McNeil  
Debtor

Case No. 15-14218-MBK  
Chapter 11

### CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

Date Rcvd: Jan 19, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 21, 2017.

db +Kenneth G McNeil, 52 S. Olden Avenue, Trenton, NJ 08609-1524

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 21, 2017

Signature: /s/Joseph Speetjens

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 19, 2017 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor BANK OF AMERICA, N.A. AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT RELATING TO IMPAC SECURED ASSETS et.al. nj.bkecf@fedphe.com  
 Brian E Caine on behalf of Creditor Wilmington Savings Fund Society, et al bcaine@parkermccay.com, BKcourtnotices@parkermccay.com  
 Denise E. Carlon on behalf of Creditor U.S. Bank, National Association, not in its individual capacity but solely as Trustee for the RMAC Trust Series 2016-CTT dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Denise E. Carlon on behalf of Creditor U.S. Bank National Associatio, Et Al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT RELATING TO IMPAC SECURED ASSETS et.al. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Jeffrey M. Sponder on behalf of U.S. Trustee United States Trustee jeffrey.m.sponder@usdoj.gov, jeffrey.m.sponder@usdoj.gov  
 Jeffrey M. Sponder on behalf of U.S. Trustee U.S. Trustee. jeffrey.m.sponder@usdoj.gov, jeffrey.m.sponder@usdoj.gov  
 Jennifer R. Gorchow on behalf of Creditor OCWEN LOAN SERVICING, LLC, AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR RESIDENTIAL ASSET SECURITIZATION TRUST SERIES 2005-A15 MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2005-0 nj.bkecf@fedphe.com  
 Jerome B. Blank on behalf of Creditor BANK OF AMERICA, N.A. AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT RELATING TO IMPAC SECURED ASSETS et.al. nj.bkecf@fedphe.com  
 Jerome B. Blank on behalf of Creditor OCWEN LOAN SERVICING, LLC, AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR RESIDENTIAL ASSET SECURITIZATION TRUST SERIES 2006-A4 MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-D nj.bkecf@fedphe.com  
 John D. Krohn on behalf of Creditor OCWEN LOAN SERVICING, LLC nj.bkecf@fedphe.com  
 John D. Krohn on behalf of Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT RELATING TO IMPAC SECURED ASSETS CORP., MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-5 nj.bkecf@fedphe.com  
 John Philip Schneider on behalf of Creditor WELLS FARGO BANK, N.A. D/B/A AMERICAS SERVICING COMPANY nj.bkecf@fedphe.com  
 John Philip Schneider on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com  
 John Philip Schneider on behalf of Creditor OCWEN LOAN SERVICING, LLC nj.bkecf@fedphe.com  
 John Philip Schneider on behalf of Creditor OCWEN LOAN SERVICING, LLC, AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR RESIDENTIAL ASSET SECURITIZATION TRUST SERIES 2006-A4 MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-D nj.bkecf@fedphe.com  
 John Philip Schneider on behalf of Creditor BANK OF AMERICA, N.A. AS SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT RELATING TO IMPAC SECURED ASSETS et.al. nj.bkecf@fedphe.com

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Form ID: pdf903

Page 2 of 2  
Total Noticed: 1

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

John Philip Schneider on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, servicer for U.S. Bank National Association, as Trustee for J.P. Morgan Mortgage Trust 2007-S2 nj.bkecf@fedphe.com  
Joseph Garibyan on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION joegaribyan@gmail.com  
Joshua I. Goldman on behalf of Creditor Nationstar Mortgage LLC jgoldman@kmlawgroup.com, bkgroup@kmlawgroup.com  
Joshua I. Goldman on behalf of Creditor U.S. Bank National Association, Et Al... jgoldman@kmlawgroup.com, bkgroup@kmlawgroup.com  
Melissa N. Licker on behalf of Creditor Specialized Loan Servicing, LLC, as servicing agent for U.S. Bank National Association, as Trustee, for JPMorgan Mortgage Trust 2007-S2 Mortgage Pass-through Certificates NJ\_ECF\_Notices@buckleymadole.com  
Melissa N. Licker on behalf of Creditor Nationstar Mortgage LLC NJ\_ECF\_Notices@buckleymadole.com  
Patrick O. Lacsina on behalf of Creditor Seterus, Inc. as authorized Subservicer for Federal National Mortgage Association (Fannie Mae), Creditor c/o Seterus, Inc. gshasa@rasnj.com, bmusarra@rasnj.com, bkyecf@rasflaw.com, legerman@rasnj.com  
Patrick O. Lacsina on behalf of Creditor Seterus, Inc. as the authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), creditor c/o Seterus, Inc. gshasa@rasnj.com, bmusarra@rasnj.com, bkyecf@rasflaw.com, legerman@rasnj.com  
Robert P. Saltzman on behalf of Creditor Nationstar Mortgage LLC dnj@pbslaw.org  
Robert P. Saltzman on behalf of Creditor Seterus, Inc. as the authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), creditor c/o Seterus, Inc. dnj@pbslaw.org  
Robert P. Saltzman on behalf of Creditor Wilmington Savings Fund Society, et al dnj@pbslaw.org  
Robert P. Saltzman on behalf of Creditor Rushmore Loan Management Services, servicer for Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Carlsbad Funding Mortgage Trust dnj@pbslaw.org  
Scott E. Kaplan on behalf of Debtor Kenneth G McNeil scott@sekaplanlaw.com, felisha@sekaplanlaw.com, sekparalegal@gmail.com  
Steven Eisenberg on behalf of Creditor Ocwen Loan Servicing, LLC, as servicer for Deutsche Bank National Trust Company, as Trustee for American Home Mortgage Asset Trust 2007-3, Mortgage-Backed Pass-Through Certificates Series 2007-3 bkecf@sterneisenberg.com, jmcnally@sterneisenberg.com; skelly@sterneisenberg.com; bkecf@sterneisenberg.com  
Steven K. Eisenberg on behalf of Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY bkecf@sterneisenberg.com, jmcnally@sterneisenberg.com; skelly@sterneisenberg.com; bkecf@sterneisenberg.com  
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov  
United States Trustee USTPRegion03.NE.ECF@usdoj.gov  
Warren S. Jones, Jr. on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION wsjonesesq@verizon.net, bestcasewsj@gmail.com

TOTAL: 35